



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Assignee: ConAgra Grocery Products
Company

Inventors: M. Konanayakam *et al.*

App. No: 10/664,516

Filed: September 17, 2003

Priority Date: September 17, 2002

Title: SYSTEM AND METHOD FOR
MAKING CASINGLESS SAUSAGE

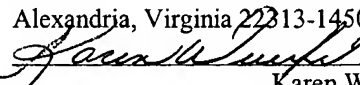
Group Art Unit: Not Yet Assigned

Examiner: Not yet Assigned

**Certificate of Mailing Under
37 C.F.R. § 1.8**

Date of Deposit: November 3, 2003

I hereby certify that this correspondence and all attachments
are being deposited with the United States Postal Service as
first class mail on the date indicated above in an envelope
addressed to the Commissioner for Patents, PO Box 1450,
Alexandria, Virginia 22313-1450


Karen Wuerfel

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22323-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached forms
PTO/SB/08A/B are being brought to the attention of the Examiner for consideration in
connection with the examination of the above-identified patent application. The Examiner
is requested to make this document of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☒ Within three months after the filing date of the application or within three
months after the date of entry of the national stage of a PCT application as set
forth in 37 C.F.R. § 1.491.

- ☐ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in

37 C.F.R. § 1.56(c) more than three months prior to the filing of this
Information Disclosure Statement.

II. Copies of the Cited Items:

- ☐ A Copy of the item listed on the attached form PTO/SB/08B is enclosed.
- ☒ Copies of only the following items listed on the attached Forms PTO/SB/08A/B are enclosed: WO 01/33978/A1; Article "Electrical Continuous Flow Heating of Meat and other Foods" (Isaksson, Sven).
- ☐ Copies of the items listed in the attached Form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____ filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C § 120.
See 37 C.F.R. § 1.98(d).
- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO/SB/08A were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the item listed on form PTO/SB/08B is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO/SB/08A is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- ☒ Applicants bring to the Office's attention the following related, co-pending application(s): PCT App. No. PCT/US03/29311, filed September 17, 2003

V. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08B with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 3000240-703469-2001 for any additional fees required in connection with the filing of this Supplemental Information Disclosure Statement.

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

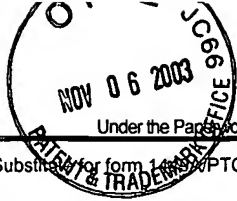
Dated: November 3, 2003

By: _____



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Substitute for form 1001, USPTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/664,516
Filing Date	September 17, 2003
First Named Inventor	M. Konanayakam
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	703469-2001

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US- 4,058,633	11-15-77	Staff, et al.	
	2	US- 4,989,505	02-05-91	Mally	
	3	US- 5,056,425	10-15-91	Mally	
	4	US- 5,098,332	03-24-92	Handel	
	5	US- 5,115,732	05-26-92	Mally	
	6	US- 5,141,762	08-25-92	Mally	
	7	US- 5,211,106	05-18-93	Lucke	
	8	US- 6,187,362	02-13-01	Breu, et al.	
	9	US- 6,203,832	03-20-01	Kramer	
	10	US- RE35,426	01-21-97	Mally	
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FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	11	WO 01/33978 A1	05-17-01	Simunovic, J., et al		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	10/664,516
Filing Date	September 17, 2003
First Named Inventor	M. Konanayakam
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	703469-2001

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	12	ISAKSSON, SVEN, "Electrical Continuous Flow Heating of Meat and Other Foods"; A Literature Review; 2000, pgs. 1-14, SIK, The Swedish Institute for Food and Biotechnology, Goteburg	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.